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# Request for Continued Examination (RCE) Transmittal

Address to:
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P.O. Box 1450
Alexandria, VA 22313-1450

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| Application Number | 10/678,806 |
| Filing Date | October 3, 2003 |
| First Named Inventor | Kevin Goldsmith |
| Art Unit | 2109 |
| Examiner Name | Rashedul Hassan |
| Attorney Docket Number | MS305785.01 |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. [✔] Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. [✔] Consider the arguments in the ~~Appeal Brief or Reply Brief~~ Amendment previously filed on July 23, 2007.

ii. [ ] Other _____

b. [ ] Enclosed

I. [ ] Amendment/Reply

ii. [ ] Affidavit(s)/ Declaration(s)

iii. [ ] Information Disclosure Statement (IDS)

iv. [ ] Other _____

2. Miscellaneous

a. [ ] Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. [ ] Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. [ ] The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-4143. I have enclosed a duplicate copy of this sheet.

i. [ ] RCE fee required under 37 CFR 1.17(e)

ii. [ ] Extension of time fee (37 CFR 1.136 and 1.17)

iii. [ ] Other _____

b. [ ] Check in the amount of $ .00 enclosed

c. [✔] Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

***SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED***

| | | | |
|---|---|---|---|
| Signature | /William J. Breen, III, Reg. No. 45,313/ | Date | September 24, 2007 |
| Name (Print/Type) | William J. Breen, III | Registration No. | 45313 |

***CERTIFICATE OF MAILING OR TRANSMISSION***

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | | |
|---|---|---|---|
| Signature | filed via EFS - web | | |
| Name (Print/Type) | | Date | |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*